



STATE OF TENNESSEE
 DEPARTMENT OF COMMERCE AND INSURANCE
 500 JAMES ROBERTSON PARKWAY
 NASHVILLE, TENNESSEE 37243-5065
 615-741-2241

REGULATORY BOARDS AND COMMISSIONS DISCIPLINARY ACTION FORM

Date	September 12, 2003	Board/Commission	Regulatory Boards
Contact Name	Betty Lassiter	Phone	741-3449

August 2003 Disciplinary Actions

Name	Address	Action/Penalty	Statute/Rule
ACCOUNTANCY BOARD			
Phyllis S. Spencer Unlicensed	P. O. Box 6323 Knoxville, TN 37924	\$1,000.00 Civil Penalty	Tenn. Code Ann. §62-1-113 (a) prohibits non-licensees from issuing reports on financial statements. Tenn. Code Ann. §62-1-113 (c) prohibits non-licensees from using the term "accountant" or any language that implies that they are licensed by Tennessee.
Harry M. Eldridge, #6043	117-A Luyben Road Kingston Springs, TN 37082	\$250.00 Civil Penalty	Rule 0020-5.03 requires that active license holders seeking to renew in active status provide proof of completion of 80 hours of Continuing Professional Education.
Conrad Thomas C. Russe #7775	P.O. Box 4322 17 E. Manning St. Ste. 3 Chattanooga, TN 37405	\$250.00 Civil Penalty	Tenn. Code Ann. §62-1-113 (d) prohibits non-licensed firms from offering attest services. Rule 0020-3-.16(2) requires licensees to respond to board correspondence within 30 days of receiving such correspondence.
Barbara Sutton #14377/Sutton & Associates #2516	416-B Lokey Lane Murfreesboro, TN 37129	\$850.00 Civil Penalty	Tenn. Code Ann. 62-1-108(a) requires firm to register in Tennessee. Tenn. Code Ann. 62-1-201(b) requires firms that engage in attest services to undergo a peer review.
Bradley Frisbey #10247	538 Windy Road Mt. Juliet, TN 37122	\$250.00 Civil Penalty.	Rule 0020-5.03 requires that active license holders seeking to renew in active status provide proof of completion of 80 hours of Continuing Professional Education. Rule 0020-3-.16(2) requires licensees to respond to board correspondence within 30 days of receiving such correspondence.
Patrick O'neal Windham #12895	1703 #1 Summerfield Dr. Lebanon, TN 37087	\$100.00 Civil Penalty	Tenn. Code Ann. §62-1-113 (d) prohibits non-licensed firms from offering attest services.
ALARM SYSTEMS CONTRACTORS BOARD			
James LaPointe Direct Security Services	7600 Kingston Pike Knoxville, TN	\$500.00 Civil Penalty	Tenn. Code Ann. §62-32-304(i), acting as a qualifying agent without a valid license
Eric Busby	193 South Idlewild Memphis, TN	\$900.00 Civil Penalty	Tenn. Code Ann. §62-32-312(a), employing unregistered employees
AUCTIONEER			

COMMISSION			
Mecum Collector Car Auction	P. O. Box 422 Marengo, IL 60152-0422	\$2,500.00 Citation	Tenn. Code Ann. §§62-19-102 and 62-19-125 make it unlawful to Act as, or advertise or represent to be, an auctioneer, apprentice auctioneer, firm, or gallery without holding a valid license issued by the commission.
Martin & Martin Auctioneers Inc	1618 Easley Hw Pelzer, SC, 29669	\$500.00 Agreed Citation	Rule 0160-1-.21(1) [DISCLOSURE OF BUYER'S PREMIUM] An auctioneer, auction firm or gallery shall disclose the existence and amount of any "buyer's premium," commission, or fee to be charged to buyers at an auction sale. Such disclosure shall be made in all advertising and orally announced immediately prior to the start of an auction.
Century 21 Whitehead Realty & Auc. Co	411 Bemberg Rd Elizabethton, TN, 37643	\$1,000.00 Consent Order	Tenn. Code Ann. § 62-19-111. (11) General licensing provisions. All contracts for services to be performed by an auction firm, except an auto auction as defined in § 55-17-102(2), must be negotiated for and signed by an auctioneer who is a member of the firm or by the auctioneer's attorney.
BARBER BOARD			
Bella Spazio's	2070 West St. Germantown, TN 38138	\$300.00 Civil Penalty	Tenn. Code Ann. §62-3-109 makes it unlawful to operate a shop without a license.
Centrics	203-A New Providence Road Clarksville, TN 37040	\$300.00 Civil Penalty	Tenn. Code Ann. § 62-3-109 makes it unlawful to operate a shop without a license.
Distinguish Looks	2770 Frayser Blvd. Memphis, TN 38127	\$300.00 Civil Penalty	Tenn. Code Ann. § 62-3-107 makes it unlawful to practice barbering without a valid license
CONTRACTORS BOARD			
Milender, Chris (#50516) 200312861	911 New Deal Potts Rd. Cottontown, TN 37078	Two citations @ \$1,000.00 each	Tenn. Code Ann. § 62-6-118, unlicensed activity prior to licensure
Hellums, Jerry W. (#46715) 200315224	111 Harris Grove Road Humboldt, TN 38343	Relinquishment of License	Tenn. Code Ann. §62-6-118, relinquishment of license
Man Made Wonders (Unlicensed) 200316023	107 Mt. Zion Florence, KY 41042	Citation @ \$1,000.00 per day from 8/13/03 – paid \$5,000.00	Tenn. Code Ann. § 62-6-118, unlicensed activity
Bobbitt Design Build (Unlicensed) 200316026	652 Bush River Rd. Bush River Plaza, Suite B Columbia, SC 29210	Citation @ \$,1000.00 per day from 8/13/03 – paid \$5,000.00	Tenn. Code Ann. § 62-6-118, unlicensed activity
ERC Properties, Inc. 200315670	P.O. Box 3945 Fort Smith, AR 72913	\$500.00 Citation	Tenn. Code Ann. § 62-6-118, hiring an unlicensed sub-contractor for plumbing & gas work
Johnson Roofing (Unlicensed) 200315782	1889 D Hollywood Dr. Jackson, TN 38305	\$1,000.00 Citation	Tenn. Code Ann. §62-6-118, unlicensed activity

R T Construction (Unlicensed) 200315785	1088 Harts Bridge Rd. Jackson, TN 38301	\$1,000.00 Citation	Tenn. Code Ann. §62-6-118, unlicensed activity
Pinnacle Const. Svc. Inc. (#43280) 200315672	133 Holiday Court, Suite 204 Franklin, TN 37067	\$500.00 Citation	Tenn. Code Ann. §62-6-118, hiring an unlicensed sub-contractor for plumbing & gas work
Davis, Robert W. (Unlicensed) 200316036	1613 Hwy. 68 Crossville, TN 38572	\$750.00 Citation	Tenn. Code Ann. §62-6-118, unlicensed activity
COSMETOLOGY BOARD			
Star Nails	6510 Chapman Hwy. Knoxville, TN 37920	\$600.00 Civil Penalty	Tenn. Code Ann. §62-4-119 requires that the owner and manager of a shop shall be responsible that only duly licensed individuals perform cosmetology services in the shop.
The Retreat of Brentwood	7016 Church St. Brentwood, TN 37027	\$500.00 Civil Penalty	Tenn. Code Ann. §62-4-119 requires that the owner and manager of a shop shall be responsible that only duly licensed individuals perform cosmetology services in the shop.
Olive Branch	110 Luther Road Dickson, TN 37055	\$300.00 Civil Penalty	Tenn. Code Ann. §62-4-108 that it is unlawful to practice cosmetology without a valid license issued by the board.
Amy's Right Touch/Skin Care	8644 E. Brainerd Rd. Chattanooga, TN 37421	\$500.00 Civil Penalty	Tenn. Code Ann. §62-4-119 requires that the owner and manager of a shop shall be responsible that only duly licensed individuals perform cosmetology services in the shop.
Anthony's Hair Design	306 Home Ave. Ste. 8 Maryville, TN 37801	\$300.00 Civil Penalty	Tenn. Code Ann. §62-4-119 requires that the owner and manager of a shop shall be responsible that only duly licensed individuals perform cosmetology services in the shop.
Bella Spazio's	2070 West St. Germantown, TN 38138	\$300.00 Civil Penalty	Tenn. Code Ann. §62-4-118 states it is unlawful to operate a shop with a valid license.
The Bombshell for Hair	2817 West End Ave. Suite 210 Nashville, TN 37205	\$300.00 Civil Penalty	Tenn. Code Ann. §62-4-127 states each school and shop, including one located in a private residence, shall display at its entrance a sign, of sufficient size to be clearly visible from the street, indicating that it is a school or shop.
FUNERAL BOARD			
Family Mortuary, Inc.	109 Castle Heights Ave. Lebanon, TN 37087	\$3,500.00 Civil Penalty	Tenn. Code Ann. §§62-5-303, 62-5-309, 62-5-317(4),(5), unlicensed practice and unprofessional conduct.
Sellars Funeral Home	4707 12 th Ave. Chattanooga, TN 37407	\$300.00 Civil Penalty	Tenn. Code Ann. §62-5-314, use of unlicensed persons' names
MOTOR VEHICLE COMMISSION			
Wholesale Direct, LLC	3005 Nolensville Rd. Nashville, TN 37211	\$1,000.00 Civil Penalty	Tenn. Code Ann. §55-17-114 and Rule 0960-1-.19 false or misleading sales activities
C & R Auto Sales	1504 East Main St. Rogersville, TN 37857	\$2,200.00 Civil Penalty	Tenn. Code Ann. §§55-17-114 and 55-17-110, unlicensed sales activities
College Street Auto Sales	1324 College St. Clarksville, TN 37040	\$500.00 Civil Penalty	Tenn. Code Ann. §§55-17-109 and 55-17-110, unlicensed sales activities

McKee Used Cars	6813 Lee Highway Chattanooga, TN 37421	\$500.00 Civil Penalty	Tenn. Code Ann. §§55-17-109, 55-17-107 and 55-17-114, false or misleading sales and unlicensed sales activities
Mark Poole Auto Sales, Inc.	1144 College St. Clarksville, TN 37040	\$1,700.00 Civil Penalty	Tenn. Code Ann. §§55-17-109 and 55-17-110, unlicensed sales activities
Classic Super Toys	5602 Hixson Pike Hixson, TN 37343	\$2,000.00 Civil Penalty	Tenn. Code Ann. §§55-17-109, 55-17-110 and 55-17-114, unlicensed sales activities
U S Auto	1114 Memorial Blvd. Murfreesboro, TN 37129	\$1,000.00 Civil Penalty	Tenn. Code Ann. §55-17-114, false or misleading sales activities
REAL ESTATE APPRAISER COMMISSION			
Patricia L. Smith	209 Danyacrest Drive Nashville, TN 37214	\$500.00 Civil Penalty	Tenn. Code Ann. §62-39-329 Violation of Uniform Standards of Professional Appraisal Practice
Michael Nichols	410 West Wood Street Paris, TN 38242	\$500.00 Civil Penalty	Tenn. Code Ann. §62-39-103(a) and Rule 1255-1-13(9) Unlicensed Appraisal Practice